



Appl. Serial No.: 09/814,714  
Atty. Dkt. No. 017446-0310

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Satoshi KAMIYA  
Title: DISTRIBUTED PIPELINE SCHEDULING  
METHOD AND SYSTEM  
Appl. No.: 09/814,714  
Filing Date: 03/23/2001  
Examiner: Ryman, Daniel J.  
Art Unit: 2665

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### **STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information listed on the Form PTO/SB/08 submitted with this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

### **RELEVANCE OF EACH DOCUMENT**

The document listed on the PTO/SB/08 is in English and was cited by the examiner in Applicant's counterpart German application. A translation of a portion of the German Office Action, issued October 13, 2004, is submitted herewith.

#### **List of Cited Literature**

- (1). SMILJANIC, A. et al.: RRGs-Round-Robin Greedy Scheduling for Electronic/Optical Terabit Switches. Global Telecommunications Conference - Globecom '99, Vol. 2, 1999, S. 1244-1250. (NOTE: This reference was previously submitted in an information disclosure statement filed on March 23, 2001, therefore is not being submitted herewith).
- (2). EP 1 009 189 A2, application date: June 24, 1999

#### **Regarding the Prior Art**

Since on the side of the patent office so far there is not complete clarity regarding the subject matter claimed, the search conducted so far has to be regarded as preliminary.

The applicant has mentioned citation (1) as relevant prior art in the application, and accordingly probably the subject matter claimed should be distinguished from the prior art by the characterizing features. However, the examining division is of the opinion that one of the characterizing features also can be found in (1) and the second feature does not patentably distinguish the claim.

For example, from (1) figure 1, one can unambiguously recognize that in the time slots T1 to T5 there is a preparation of the processing (I0>T6,..., I4>T6), and only in T6 there is an information transfer through a time slot, in other words in a pipeline fashion, and therefore the second feature of the claim 1 of the present application can be taken from (1).

In this context it does not go beyond the average skills of the expert to perform these processings independently, therefore in the combination of the features of claim 1 there can not be seen any patentable distinction from (1).

Supplementarily, reference is made to citation (2) which is based on a prior right and which among others shows on page 6/[0021] the pipeline fashion of the transfer phases.

Applicants' statements regarding the German Office Action are based on a partial translation that Applicants' representative obtained. These statements should in no way be considered as an agreement by Applicants with, or an admission of, what is asserted in the German Office Action.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: January 3, 2005

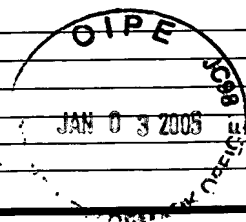
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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: December 30, 2004 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/814,714
				Filing Date	03/23/2001
				First Named Inventor	Satoshi KAMIYA
				Group Art Unit	2665
				Examiner Name	Ryman, Daniel J.
				Attorney Docket Number	017446-0310
Sheet	1	of	1		



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	B1	EP	1 009 189	A2	NEC Corporation	06/14/2000		T

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.